

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Parts 1 and 22 of the)	WT Docket No. 12-40
Commission's Rules with Regard to the)	
Cellular Service, Including Changes in)	RM No. 11510
Licensing of Unserved Area)	
)	
Amendment of the Commission's Rules)	
with Regard to Relocation of Part 24)	
to Part 27)	
)	
Interim Restrictions and Procedures for)	
Cellular Service Applications)	

COMMENTS

Cellular South Licenses, LLC, provider of C Spire Wireless service ("C Spire Wireless"), hereby submits Comments in response to the Federal Communications Commission's Notice of Proposed Rulemaking and Order ("NPRM") inviting input on steps to revise the licensing model in the 800 MHz Cellular Service ("Cellular Service"), transitioning from a site-based to a geographically-based approach.¹

I. Background

The FCC proposes to issue geographic area "Overlay Licenses" authorizing build-out in unlicensed area and area vacated by existing incumbents through competitive bidding. Stage I of the transition would include all Cellular Service markets that meet the FCC's proposed

¹ *Notice of Proposed Rulemaking and Order*, FCC 12-20, released February 15, 2012 ("NPRM"). The deadline for submission of these Comments is May 15, 2012, as determined by the Federal Register publication date.

“Substantially Licensed” test. In this stage, site-based licensing would end in those markets, and the Overlay Licenses would be assigned via competitive bidding.

The FCC proposes to treat a Cellular Market Area (“CMA”) Block as Substantially Licensed if *either* of the following benchmarks is met: (1) at least 95% of the total land area is licensed; or (2) there is no unlicensed parcel within the Block at least 50 contiguous square miles in size. These comments address identification of such markets in Mississippi, Block B.

II. Portions of Mississippi should be corrected from “Not Substantially Licensed” to “Substantially Licensed”

C Spire Wireless holds Block B Cellular Service licenses in the State of Mississippi, including area illustrated on the Block B map of Appendix D of the NPRM as “partially served but does not meet Substantially Licensed Test, would be transitioned in Stage II.” C Spire Wireless submits these comments to correct the record to reflect that certain areas do in fact meet the Substantially Licensed Test.

Although the Appendix D, Block B map is based on data as of January 11, 2012, for the past several years C Spire Wireless has covered with licensed 32 dBu contours service area in CMA 496 - Mississippi RSA 4 B (“Mississippi RSA 4”) and CMA 497 - Mississippi RSA 5 B - Station (“Mississippi RSA 5”). These markets should be displayed on the Block B map as “Substantially Licensed and would be transitioned in Stage I.”

As demonstrated in the attachment hereto, supported by the Declaration of Ali Kuzehkanani, Telecommunications Electrical Engineer, 100% of Mississippi RSA 4 is licensed to C Spire Wireless or an adjacent licensee, and 100% of Mississippi RSA 5 is licensed to C Spire Wireless. Neither RSA contains an unlicensed parcel within Block B at least 50 contiguous square miles in size.

Mr. Kuzehkanani references the FCC's 800 MHz Block B Cellular Geographic Service Area map ("the CGSA map"), <http://tiles.mapbox.com/fcc/map/800-mhz-cellular-b-block-cgsa>, which likewise requires correction if it is to be used as a resource in this proceeding.

III. Mississippi Cellular Market Areas should be added to Appendix C "Substantially Licensed," "Block B >= 95%"

Based on January 11, 2012 data, the FCC also compiled Appendix C entitled *List of CMA Blocks That Meet Proposed "Substantially Licensed" Test*. The list provides the percent of licensed area of the listed CMAs.

As demonstrated in the attachment hereto, the portion of the list designated "Block B >= 95%" should be amended to include Mississippi RSA 4 and Mississippi RSA 5, showing 100% Licensed Area.

C Spire Wireless alone is licensed to cover a greater area of its CMAs than is indicated by Appendix C. Together with licensed contours of other Block B licensees, the percentages of Licensed Area should be corrected as follows:

Call Sign	Market	Market	% Licensed Area (Appendix C)	Actual Licensed Area
KNKA618	CMA173B	Biloxi-Gulfport, MS	95.04%	100.00%
KNKA684	CMA252B	Pascagoula, MS	98.27%	99.89%
KNKQ300	CMA493B	Mississippi 1 - Tunica	99.71%	100.00%
N/A	CMA496B	Mississippi 4 - Yalobusha	Not included	100.00%
KNKN995	CMA497B	Mississippi 5 - Washington	Not included	100.00%
KNKQ257	CMA498B	Mississippi 6 - Montgomery	99.76%	100.00%
KNKN644	CMA500B	Mississippi 8 - Claiborne	99.38%	100.00%
KNKQ311	CMA502B	Mississippi 10 - Smith	99.14%	100.00%
KNKN757	CMA503B	Mississippi 11 - Lamar	98.92%	100.00%

II. Conclusion

C Spire Wireless respectfully requests correction of Appendices to the NPRM for Mississippi markets and percentages, namely Appendix C – "Substantially Licensed CMA Blocks," and Appendix D - "800 MHz Cellular Markets Transition Analysis – B Block" map.

Because C Spire Wireless and others provide licensed Block B Cellular Service in Mississippi RSA 4 and Mississippi RSA 5, the areas should be added to the Appendix C list and displayed on the Appendix D map as "Substantially Licensed and would be transitioned in Stage I." The areas also should be updated on the FCC's CGSA map. Finally, additional Mississippi CMAs should have percentages corrected at Appendix C.

Respectfully submitted,

CELLULAR SOUTH LICENSES, LLC
D/B/A C SPIRE WIRELESS

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May 15, 2012

DECLARATION OF ALI KUZEHKANANI

I, Ali Kuzehkanani, under penalty of perjury, declare the following:

1. I am a Telecommunications Electrical Engineer and employed by the firm of Lukas, Nace, Gutierrez & Sachs, LLP.

2. I graduated from George Washington University, Washington, D.C., with a Bachelor of Science degree in Electrical Engineering.

3. I have been retained by Cellular South Licenses, LLC d/b/a C Spire Wireless (“C Spire”) to review the list of CMA Blocks that meet the proposed “Substantially Licensed” test (Appendix C - Block B list), and the Block B map (the “Block Map”) in Appendix D of the Notice of Proposed Rulemaking and Order in WT Docket No. 12-40 (FCC 12-20), released February 15, 2012, as well as the 800 MHz B Block CGSA map (the “CGSA Map”) provided by the FCC and shown at <http://tiles.mapbox.com/fcc/map/800-mhz-cellular-b-block-cgsa>. In particular, I have reviewed areas shown on the Map as a “Block [that] is partially served but does not meet Substantially Licensed Test; would be transitioned in Stage II” and to comment on the accuracy of the Map insofar as it indicates such areas in the State of Mississippi where C Spire holds licenses to provide cellular service. I have also reviewed the 800 MHz B Block CGSA map to verify the accuracy of the CGSA boundaries depicted for C Spire licenses.

4. The review of both the Block Map and the CGSA Map indicates a number of inaccuracies. Furthermore, a review of the list of CMA Blocks that meet the proposed “Substantially Licensed” test (Appendix C - Block B list) indicates that the list contains inaccuracies insofar as it relates to C Spire’s licensed areas.

5. We have created C Spire’s authorized CGSA boundaries using the information provided in the FCC’s ULS database. Provided below is a summary of the inaccuracies shown in NPRM’s Block Map and the Block B list as well as the Block B CGSA map provided by the FCC. To illustrate the inaccuracy in each case, an exhibit is provided showing both the actual CGSA (blue contours) and the CGSA as shown on FCC’s CGSA Map (shaded area).

i) **CMA173B (KNKA618)** – Block B table in Appendix C of NPRM shows a coverage area of 95.04% in C Spire’s licensed area in CMA173B. As shown on the attached ***Exhibit 1***, C Spire’s licensed area is entirely covered by its licensed sites or the neighboring markets’ licensed sites. Therefore, the coverage in C Spire’s licensed area is 100%.

ii) **CMA252 (KNKA684)** – Block B table in Appendix C of NPRM shows a coverage area of 98.27% in C Spire’s licensed area in CMA252B. As shown on the attached ***Exhibit 2***, C Spire’s licensed area is almost entirely covered by its licensed sites or the neighboring markets’ licensed sites. The licensed area currently has an unserved area of only 1.2 mi². Actual coverage in C Spire’s licensed area in CMA252B is 99.89%.

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- iii) **CMA493B (KNKQ300)** – Block B table in Appendix C of NPRM shows a coverage area of 99.71% in C Spire’s licensed area n CMA493B. As shown on the attached ***Exhibit 3***, C Spire’s licensed area is entirely covered by its licensed sites or the neighboring markets’ licensed sites. Therefore, the coverage in C Spire’s licensed area is 100%.
- iv) **CMA497B (KNKN995)** – Block B table in Appendix C of NPRM does not include C Spire’s licensed market in CMA497B. Also, the Block Map in Appendix D identifies the market as “Block is partially served but does not meet Substantially Licensed Test, would be transitioned in Stage II”. However, as shown on the attached ***Exhibit 4***, C Spire’s licensed area is entirely covered by its licensed sites or the neighboring markets’ licensed sites. Therefore, the coverage in C Spire’s licensed area is 100%.
- v) **CMA498B (KNKQ257)** – Block B table in Appendix C of NPRM shows a coverage area of 99.78% in C Spire’s licensed area n CMA498B. As shown on the attached ***Exhibit 5***, C Spire’s licensed area is entirely covered by its licensed sites or the neighboring markets’ licensed sites. Therefore, the coverage in C Spire’s licensed area is 100%.
- vi) Additionally, C Spire is also licensed in the Clay County which was originally a part of the CMA496 – MS-4 Yalobusha market. Block B table in Appendix C of NPRM does not include CMA496B. Also, the Block Map in Appendix D identifies the CMA496B market as “Block is partially served but does not meet Substantially Licensed Test, would be transitioned in Stage II”. However, as shown on the attached ***Exhibit 5***, CMA496B is entirely covered. Therefore, the coverage in C Spire’s licensed area in the Clay County as well as the entire CMA496B is 100%.
- vii) **CMA500 (KNKN644)** – Block B table in Appendix C of NPRM shows a coverage area of 99.38% in C Spire’s licensed area n CMA500B. As shown on the attached ***Exhibit 6***, C Spire’s licensed area is entirely covered by its licensed sites or the neighboring markets’ licensed sites. Therefore, the coverage in C Spire’s licensed area is 100%.
- viii) Additionally, C Spire is also licensed in the Walthall County which was originally a part of the CMA501 - MS-9 Copiah market. Block B table in Appendix C of NPRM shows a coverage area of 98.15% in CMA501B. However, as shown on the attached ***Exhibit 6***, Walthall County is entirely covered. Also, the FCC records indicate that the entire CMA501B is covered as well (100%)
- ix) **CMA502 (KNKQ311)** – Block B table in Appendix C of NPRM shows a coverage area of 99.14% in C Spire’s licensed area in CMA502B. As

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shown on the attached *Exhibit 7*, C Spire's licensed area is entirely covered by its licensed sites or the neighboring markets' licensed sites. Therefore, the coverage in C Spire's licensed area is 100%.

- x) **CMA503 (KNKN757)** – Block B table in Appendix C of NPRM shows a coverage area of 98.92% in C Spire's licensed area n CMA503B. As shown on the attached *Exhibit 8*, C Spire's licensed area is entirely covered by its licensed sites or the neighboring markets' licensed sites. Therefore, the coverage in C Spire's licensed area is 100%.
- xi) Additionally, C Spire is also licensed in the Marion County which was originally a part of the CMA501 - MS-9 Covich market. Block B table in Appendix C of NPRM shows a coverage area of 98.15% in CMA501B. However, as shown on the attached *Exhibit 8*, Marion County is entirely covered. Also, the FCC records indicate that the entire CMA501B is covered as well (100%)
- xii) Finally, table below summarizes the actual coverage percentages in C Spire's licensed areas:

Call Sign	Market #	Market Name	% Licensed Area (Appendix C)	Actual Licensed Area
KNKA618	CMA173B	Biloxi-Gulfport, MS	95.04%	100.00%
KNKA684	CMA252B	Pascagoula, MS	98.27%	99.89%
KNKQ300	CMA493B	Mississippi 1 - Tunica	99.71%	100.00%
N/A	CMA496B	Mississippi 4 - Yalobusha	Not included	100%
KNKN995	CMA497B	Mississippi 5 - Washington	Not included	100.00%
KNKQ257	CMA498B	Mississippi 6 - Montgomery	99.76%	100.00%
KNKN644	CMA500B	Mississippi 8 - Claiborne	99.38%	100.00%
KNKQ311	CMA502B	Mississippi 10 - Smith	99.14%	100.00%
KNKN757	CMA503B	Mississippi 11 - Lamar	98.92%	100.00%

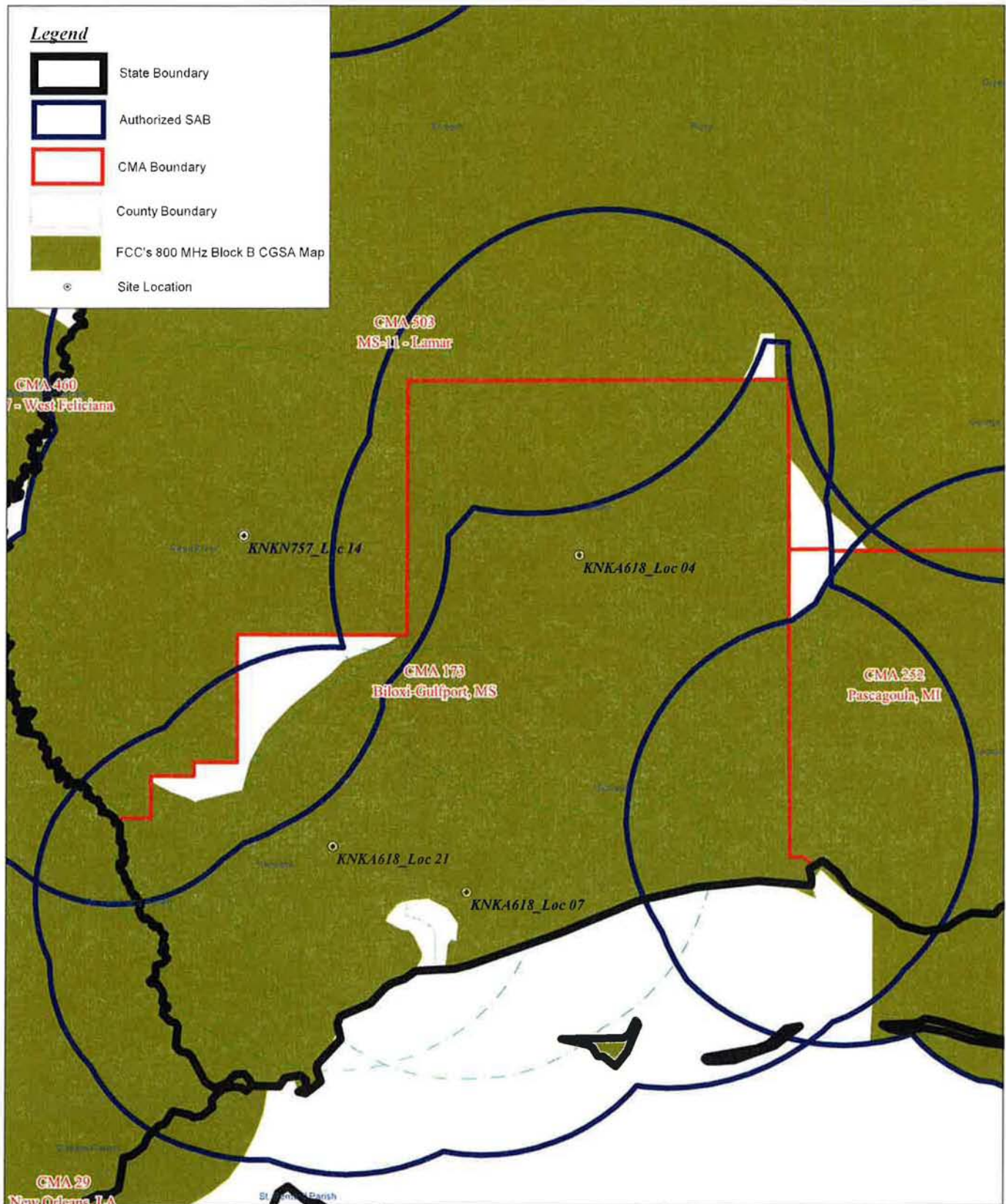
6. The above statement is true and correct to the best of my knowledge and belief.


 Ali Kuzehkanani

Dated: May 15, 2012

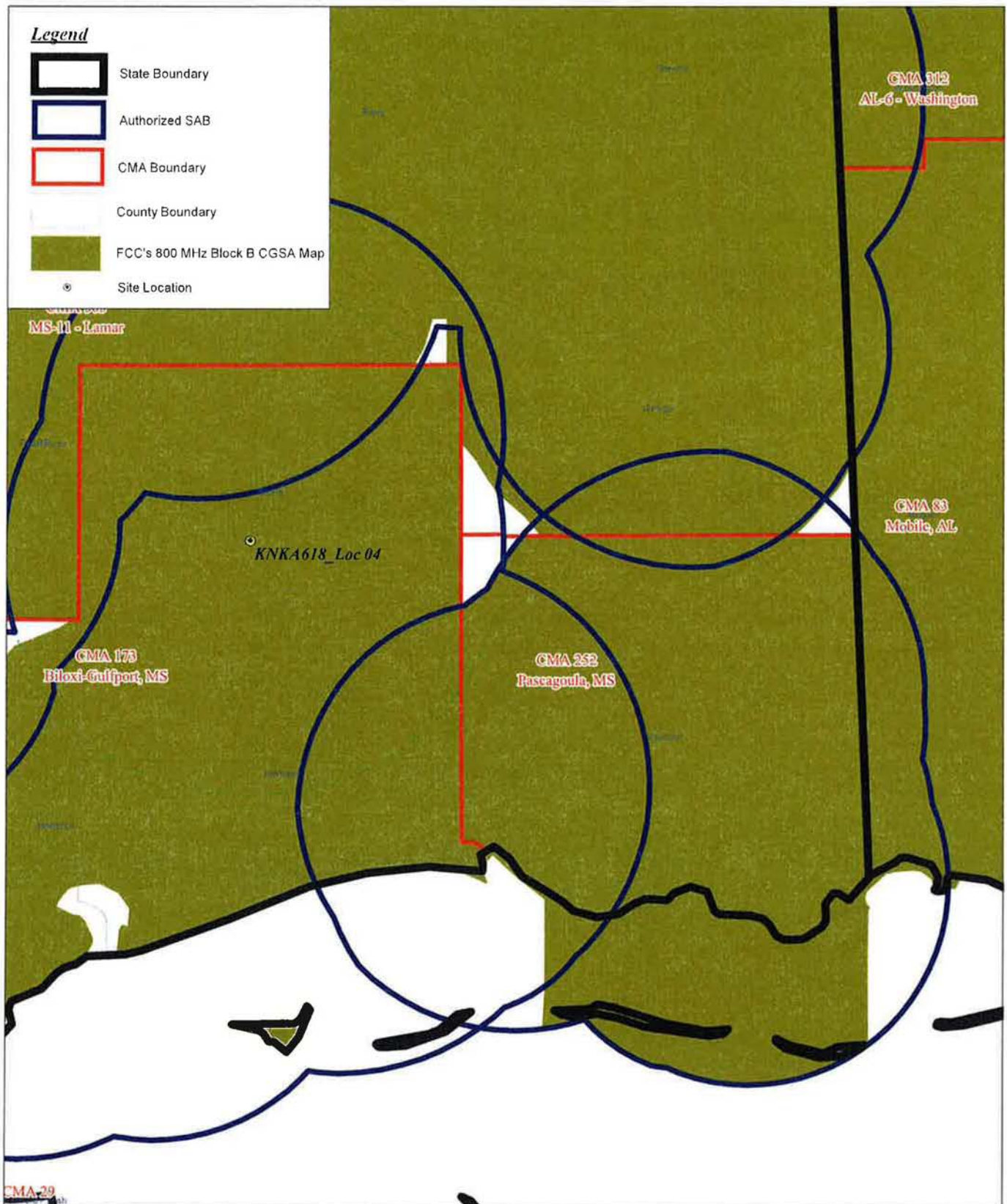
CMA 173 - Biloxi-Gulfport, MSA

Exhibit I



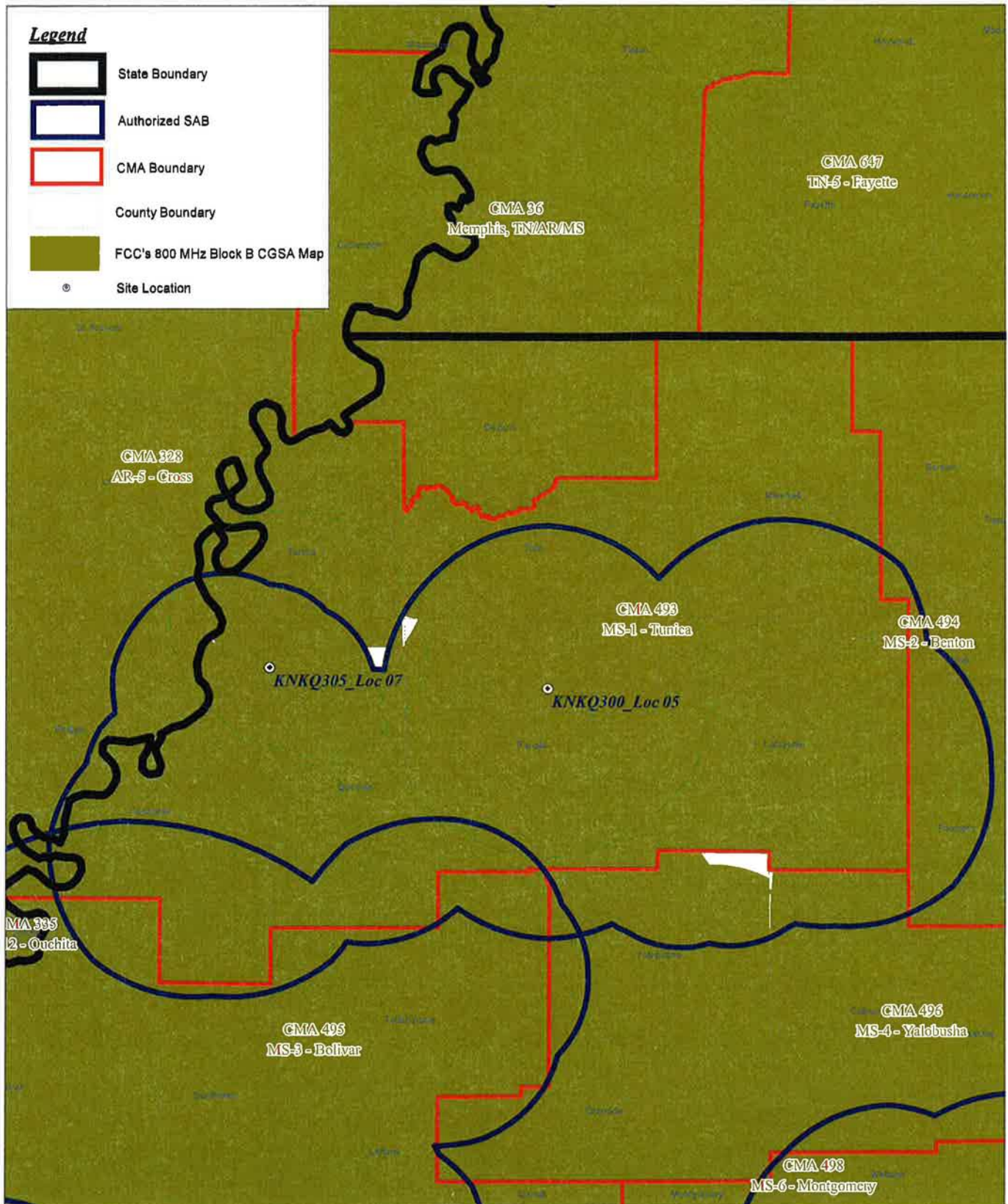
CMA 252 - Pascagoula, MS

Exhibit 2



CMA 493 - MS 1 - Tunica

Exhibit 3



CMA 497 - MS 5 - Washington

Exhibit 4

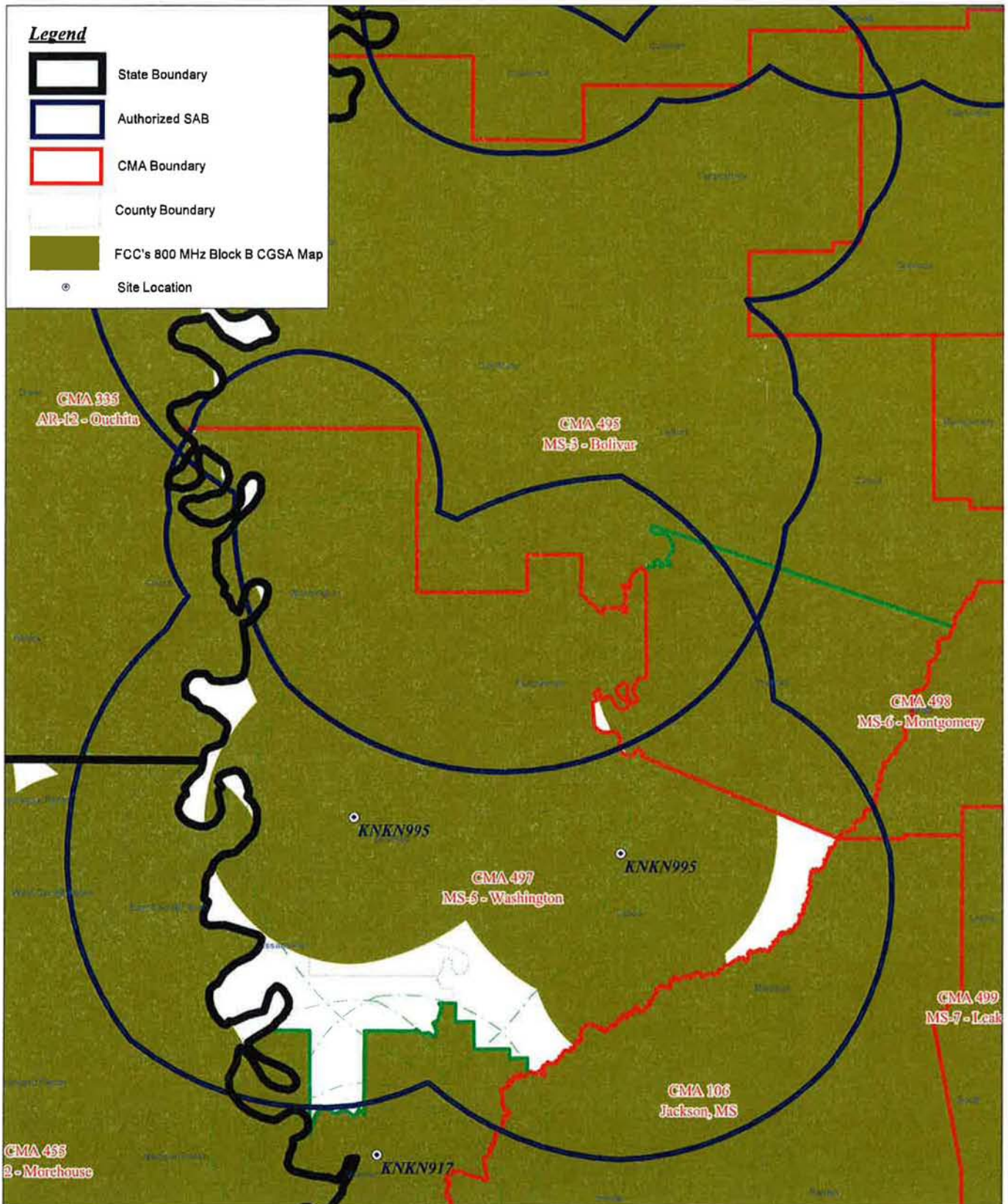
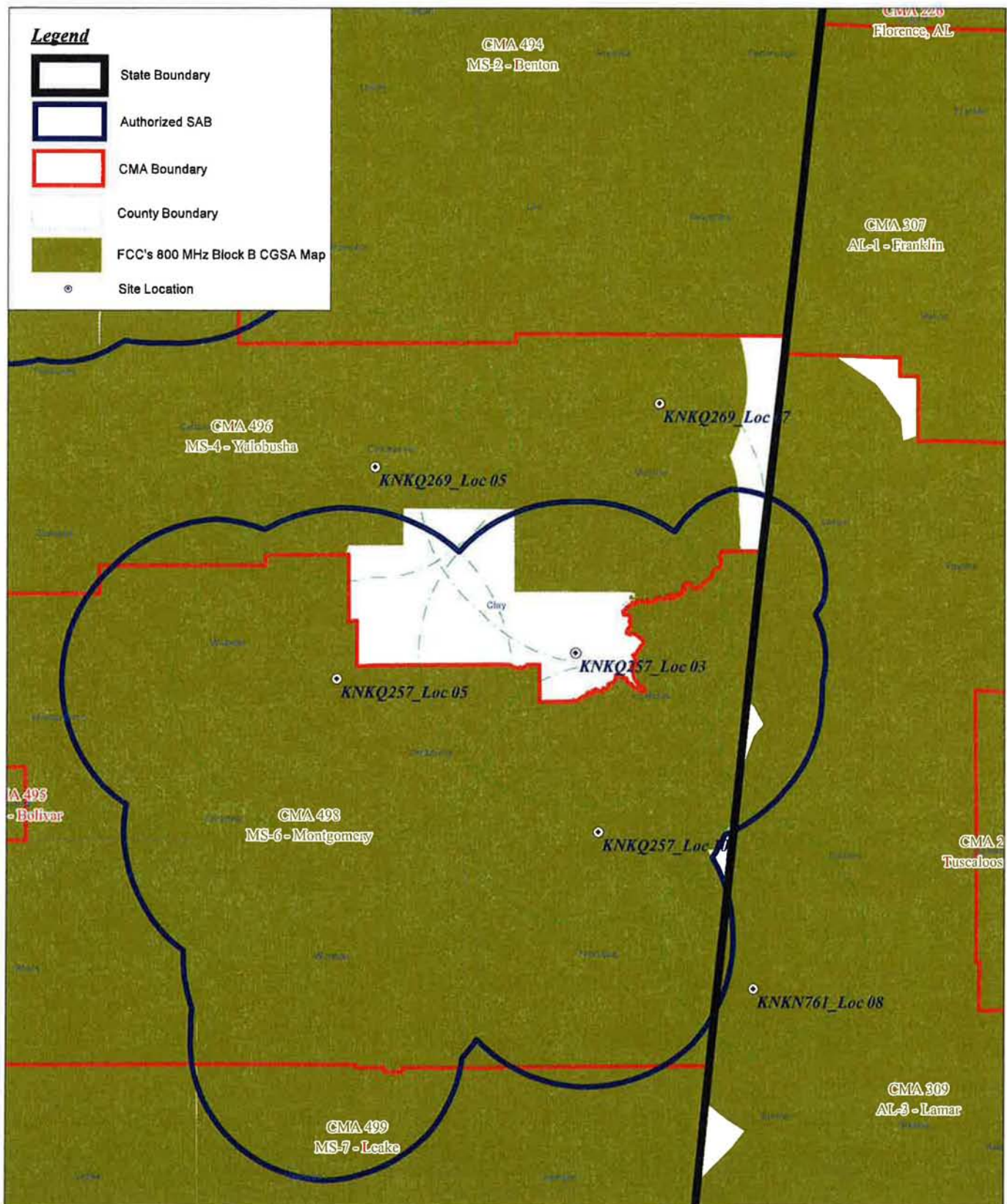
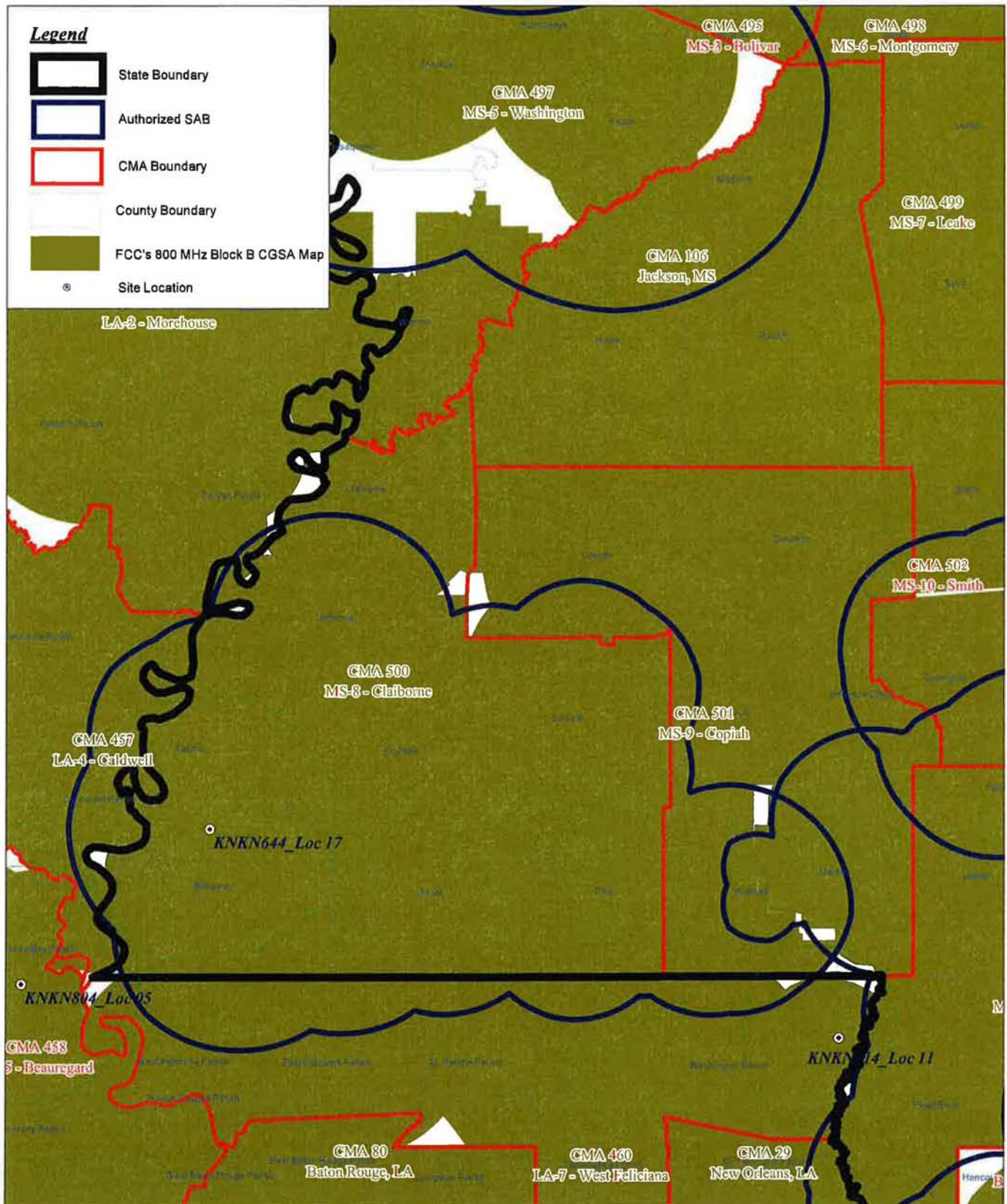


Exhibit 5



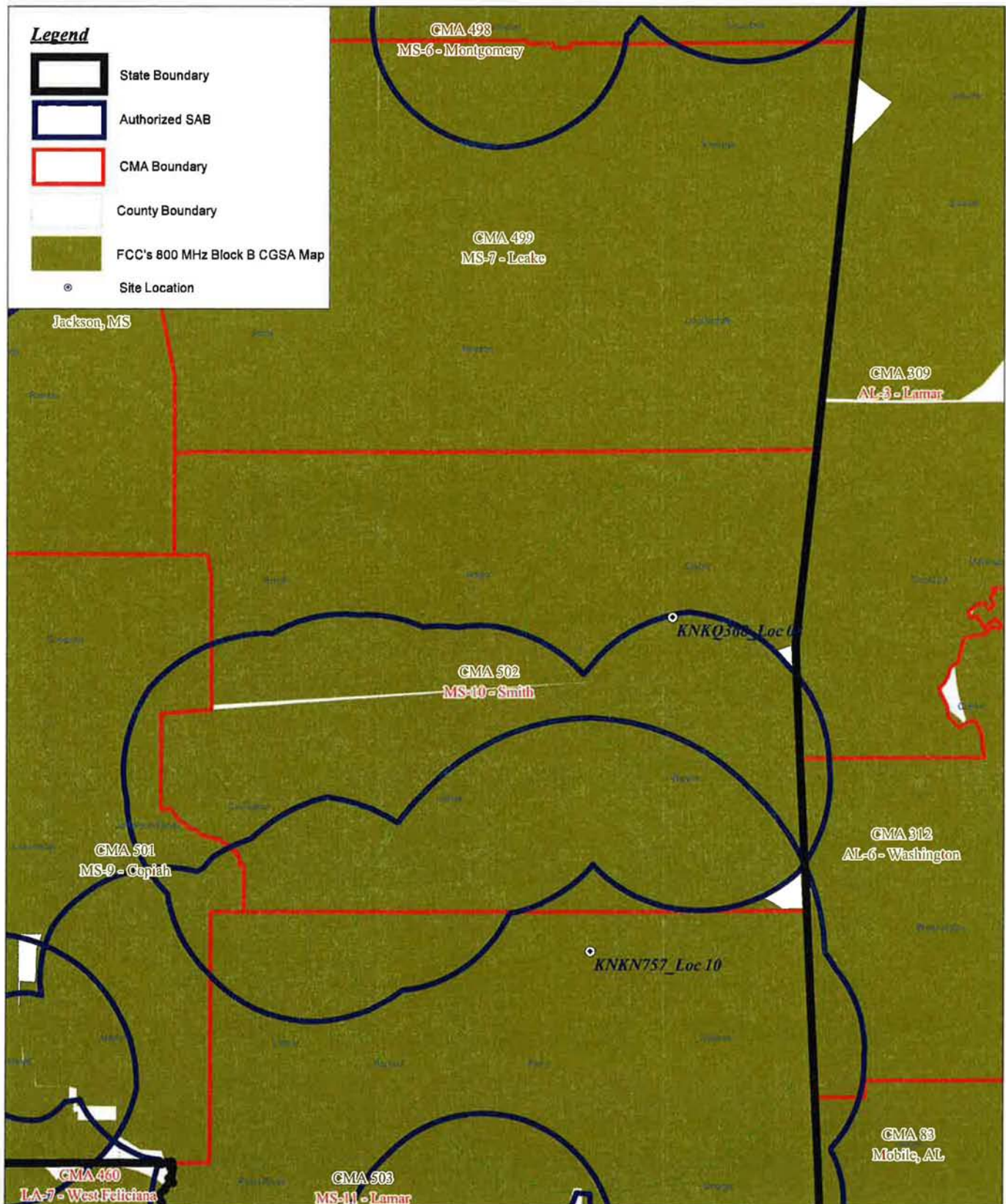
CMA 500 - MS-8 - Claiborne

Exhibit 6



CMA 502 - MS-10 - Smith

Exhibit 7



CMA 503 - MS-11 - Lamar

Exhibit 8

